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UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT

12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 DURK BANKS, et al.,

17 Defendants.
18

No. CR 24-621(B)-MWF

GOVERNMENT'S MOTION TO EMPANEL AN
ANONYMOUS JURY; DECLARATION OF
JARRON FARMBY AND ATTACHED
EXHIBITS

19
20 Plaintiff United States of America, by and through its counsel
21 of record, the Acting United States Attorney for the Central District
22 of California and Assistant United States Attorneys Ian V. Yanniello,
23 Gregory W. Staples, and Daniel H. Weiner, hereby files its Motion to
24 Empanel an Anonymous Jury in the above-captioned trial.

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1 This motion is based upon the attached memorandum of points and
2 authorities, the files and records in this case, and such further
3 evidence and argument as the Court may permit.

4 Dated: October 6, 2025

Respectfully submitted,

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9 /s/

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

This case involves a well-funded and organized attempt to kill one of defendant Durk Bank's rivals at a busy gas station in Los Angeles. In broad daylight, three shooters opened fire --- including with a machinegun --- missing their intended target, but killing S.R. The government will prove at trial that all seven co-conspirators were affiliated with defendant Banks' organization, "Only the Family"; five were OTF members, and two were recruited by defendant Wilson and promised a handsome reward to help kill their target.

To ensure a fair trial, prevent improper attempts to influence jurors, and to otherwise protect the judicial process, the government requests that the Court order the empanelment of an anonymous jury. All factors the Court must consider weigh heavily in favor of juror anonymity in this case:

First, the murder in this case was not an isolated act of violence committed by OTF or its members. In recent years, OTF members and associates have committed other brazen murders, assaults, and violent crimes.

Second, as this Court has already emphasized, defendant Banks --- the leader of OTF --- "uses his money, influence and power to endanger individuals whom he perceives as a threat." (Dkt. 202 at 4.) Defendants' vast resources, coupled with the expansive reach and violent nature of OTF, further justify additional safeguards to keep the jury free from intimidation and harassment. Indeed, defendants' supporters have already threatened government officials to "free Durk" or face retribution. The jury must be protected from similar misconduct.

1 Additionally, from its inception, this murder case has garnered
2 an extreme amount of media attention that will increase as trial
3 approaches. This case is therefore the precise circumstance where
4 heightened measures are needed to secure the jury's safety and
5 safeguard its factfinding mission from improper influence.

6 The government's proposal narrowly seeks to anonymize certain
7 confidential information from which jurors' identity can be
8 ascertained, without compromising the scope of information necessary
9 for fair and fulsome voir dire. Specifically, the government
10 requests that the names, addresses, and specific places of employment
11 not be revealed the public or parties, including counsel. To ensure
12 all parties can meaningfully engage in voir dire, the government has
13 agreed to work with the defense to propose a thorough juror
14 questionnaire. Thus, both the government and defendant will have
15 ample information from which to make meaningful decisions and
16 challenges during the voir dire process.

17 **II. LEGAL BACKGROUND**

18 The Sixth Amendment guarantees the right to a fair trial by an
19 impartial jury. United States v. Shryock, 342 F.3d 948, 971 (9th
20 Cir. 2003). A "critical safeguard of an impartial jury" is the
21 protection of "the jury against improper influence from outside
22 parties." Godoy v. Spearman, 861 F.3d 956, 958 (9th Cir. 2017). In
23 addition to shielding jurors from improper influence, a trial court
24 is also "charged with the grave responsibility of guarding the safety
25 of . . . [the] jury," and is granted "wide discretion" to adopt
26 appropriate security measures to meet that responsibility, Morgan v.
27 Bunnell, 24 F.3d 49, 51 (9th Cir. 1994), including by empaneling an
28 anonymous jury, Shryock, 342 F.3d at 971. One security measure

1 courts employ to ensure this right is the empanelment of an anonymous
2 jury, where a court keeps confidential "certain biographical
3 information about the jurors either from the public, or the parties,
4 or both." United States v. Dinkins, 691 F.3d 358, 371 (4th Cir.
5 2012).

6 This circuit employs a two-part test to determine whether the
7 empanelment of an anonymous jury is appropriate: "where (1) there is
8 a strong reason for concluding that it is necessary to enable the
9 jury to perform its factfinding function, or to ensure juror
10 protection; and (2) reasonable safeguards are adopted by the trial
11 court to minimize any risk of infringement upon the fundamental
12 rights of the accused." Shryock, 342 F.3d at 971 (cleaned up).

13 **A. Empanelment of an Anonymous Jury**

14 A court may empanel an anonymous jury where "the interests of
15 justice so require." 28 U.S.C. § 1863(b)(7). This "standard
16 contemplates a peculiarly context-specific inquiry." Dinkins, 691
17 F.3d at 372 (citing Martel v. Clair, 132 S.Ct. 1276, 1287 (2012)).
18 In determining whether the standard is met, courts consider the
19 following non-exhaustive factors: "(1) the defendants' involvement
20 with organized crime; (2) the defendants' participation in a group
21 with the capacity to harm jurors; (3) the defendants' past attempts
22 to interfere with the judicial process or witnesses; (4) the
23 potential that the defendants will suffer a lengthy incarceration if
24 convicted; and (5) extensive publicity that could enhance the
25 possibility that jurors' names would become public and expose them to
26 intimidation and harassment." Shryock, 342 F.3d at 971. These
27 factors, however, are "neither exclusive nor dispositive," and the
28 Court should consider the totality of the circumstances in deciding

1 whether the jury requires protection. Id.; United States v.
2 Fernandez, 388 F.3d 1199, 1244 (9th Cir. 2004), modified, 425 F.3d
3 1248 (9th Cir. 2005) (“Although these factors are neither exclusive
4 nor dispositive, courts have recognized the need for jury protection
5 based on a combination of factors”).

6 Applying this fact-specific analysis, courts in this District
7 --- and elsewhere --- have ordered juror anonymity in cases like this
8 that involve (1) violent groups and/or gangs, see, e.g., Shryock, 342
9 F.3d at 971 (case involving Mexican Mafia); United States v.
10 Williams, No. CR 05-920-RSWL, 2009 WL 10659328 at *2 (C.D. Cal.)
11 (case involving Eight Trey Hoover gang); (2) significant media
12 attention, see, e.g., United States v. Baca, 761 F. App’x 724, 727
13 (9th Cir. 2019) (case involving former sheriff who led conspiracy to
14 obstruct justice and impede federal investigation); and (3) indicia
15 that defendants or those acting on their behalf will interfere in the
16 judicial process, United States v. Boyajian, No. CR 09-933(A)-CAS,
17 2016 WL 225724 (C.D. Cal.) *6-7 (noting “[m]any courts have found it
18 prudent to empanel an anonymous jury where there were ... allegations
19 of witness tampering”).

20 **B. Reasonable Safeguards to Minimize any Prejudice**

21 When a court orders an anonymous jury, it must take steps to
22 minimize any prejudice resulting from the “risk [] that jurors may
23 infer that the dangerousness of those on trial required
24 their anonymity, thereby implicating defendants’ Fifth Amendment
25 right to a presumption of innocence”. United States v. Barragan, 871
26 F.3d 689, 712 (9th Cir. 2017) (cleaned up). To minimize this risk, a
27 “court must adopt reasonable safeguards [] such as telling
28 the jury that the reason for their anonymity is to protect their

1 privacy, or that anonymity is common in federal court.” Id.

2 In this circuit, “the generally accepted practice for minimizing
3 prejudice ... is to downplay (not accentuate) the significance of the
4 juror anonymity procedure.” United States v. Mikhel, 889 F.3d 1003,
5 1032 (9th Cir. 2018) (cleaned up). Courts therefore satisfy this
6 requirement by, for example, providing “neutral justifications for
7 the jury’s anonymity . . . focused on juror confidentiality.” See,
8 e.g., id. (“district court did not instruct the jury on the reasons
9 for their anonymity but simply informed them they would be referred
10 to by number rather than name . . . [and] questionnaire potential
11 jurors completed stated their information would ‘be kept
12 confidential’ and that “[n]either your identities nor your answers
13 will be released to the general public or the media’”); Fernandez,
14 388 F.3d at 1245 (district court appropriately “suggested that such
15 [anonymizing] procedures are routine”).

16 Courts can also “sufficiently safeguard[] defense counsel’s
17 ability to conduct voir dire” by providing a thorough questionnaire
18 to potential jurors, detailing “each potential juror[’s] [] age,
19 marital status, city of residence, employment history, and education,
20 among other things.” Mikhel, 889 F.3d at 1032. As explained below,
21 the government has agreed to collaborate with the defense to propose
22 a questionnaire to ensure a meaningful voir dire of potential jurors.

23 **III. AN ANONYMOUS JURY IS APPROPRIATE AND NECESSARY TO PROTECT THE**
24 **JURY’S FACT-FINDING FUNCTION AND PROTECT JUROR SAFETY**

25 Each of the non-exhaustive factors outlined by the Ninth Circuit
26 compel preserving juror confidentiality by empaneling an anonymous
27 jury in this case:

A. Defendants' Connection to Organized Criminality and Payments for Violence

The first and second factors --- defendants' involvement with organized crime and the group's capacity to harm jurors --- strongly weigh in favor of juror protection and anonymity. As alleged in the Second Superseding Indictment ("SSI"), defendant Banks is the leader of Only the Family, or OTF. (SSI at Introductory Allegations ¶ 1.) While OTF is in part a rap group, several of its members and associates have a history of extreme violence, including murder. For example, in 2024, six members of the O-Block street gang --- including OTF associate Marcus Smart aka "Muwop" --- were convicted of racketeering offenses that included the murder of Chicago rapper Carlton Weekly aka "FBG Duck."¹ Federal murder-for-hire charges are also currently pending against two defendants who were allegedly motivated to kill by OTF-linked payments.² These murders, and the other violent crimes committed by defendants and other prominent OTF members, Farmby Decl., ¶¶ 2-8, show the compelling need for an anonymous jury in this case due to the strong link between OTF and organized violence. See, e.g., United States v. Darden, 70 F.3d 1507, 1533 (8th Cir. 1995) (considering, among other things, defendants' violent criminal history in use of affirming anonymous

¹ See <https://www.justice.gov/usao-ndil/pr/six-members-or-associates-violent-street-gang-convicted-federal-racketeering-offenses>; Declaration of Jarron Farmby ("Farmby Decl."), ¶ 8. Historically, there has been a close connection between OTF and O-Block. Indeed, as alleged in the SSI, the primary motive for the cross-country travel and attempt to execute T.B. is revenge for the murder of OTF member Dayvon Bennett aka "King Von," who was a known O-Block gang member.

² See <https://www.justice.gov/usao-ndil/pr/two-men-charged-murder-hire-plot-resulted-fatal-shooting-chicago>; see also Dkt. 105, Ex. 1 at 12 (unsealed search warrant affidavit describing shooters' discussion of payment from OTF).

1 jury); see also United State v. Williams, No. CR 05-920-RSWL, 2009 WL
2 10659328, at *2 (C.D. Cal. Aug. 19, 2009) (empaneling an anonymous
3 jury where defendants committed robbery and murder as members of a
4 "violent street gang whose members and associates are suspected of
5 multiple shootings and killings as well as other violent crimes,
6 including but not limited to murder, robbery, bank robbery, burglary,
7 drug trafficking, and firearms possession").

8 Just like the head of a typical street gang, defendant Banks
9 exerts considerable influence over his associates, while attempting
10 to insulate himself from their street-level criminality. A seized
11 audio message between two OTF associates demonstrates this hierarchy.
12 In the message, a prominent OTF associate explains that when "people
13 call [Banks] for money," he gives out "500, 600 thousand [] to the
14 streets," including funding his conspirators' "sliders," --- slang
15 for stolen cars used to commit crimes. (Farmby Decl., ¶ 9, Ex. A
16 (attaching audio clip); see also Dkt. 105, Ex. 2 [Under Seal] at 11-
17 12 (citing and describing audio clip).)

18 The associate describes how Banks controls and influences their
19 operations, that Banks "want[s] to know who in charge of what first,
20 that's how he want shit done, he want it done right . . . he want
21 people to get sliders and stuff like that for sure, but he want
22 people to know what's going on so it can be a real structured
23 situation blood not no more little boy shit." (Farmby Decl., ¶ 9,
24 Ex. A.) He further details how defendant Banks' money comes with a
25 price --- that "[t]his shit is going to get done right where people
26 gonna get blamed for their own fuck ups." (Id.) That structure
27 explains why defendant Banks warned an OTF associate --- as the
28 associate purchased flights for the conspirators to travel to

1 Southern California to commit the murder at issue in this case ---
2 "Don't book no flights under no names involved wit me". (SSI at
3 Count One, Overt Act 6).

4 The allegations in this case and evidence collected during the
5 investigation further show that defendant Banks uses his power and
6 influence over OTF to promote violence against his rivals and others
7 who stand in his way. The SSI alleges that six hitmen --- OTF
8 members and two individuals recruited by defendant Wilson --- flew
9 across the country at the direction of defendant Banks to exact
10 revenge on his rival. After stalking the intended victim for nearly
11 a day, three hitmen opened fire at a busy gas station in Los Angeles
12 and killed S.R.

13 But S.R.'s death is not an isolated example of defendant Banks
14 directing OTF violence. See, e.g., Shryock, 342 F.3d at 961
15 (explaining Mexican Mafia's structure, including that "gang had
16 numerous associates who aspired to become members and were willing to
17 commit crimes on the Mexican Mafia's behalf in hopes of attaining
18 membership", quoting an associate's mantra that "If the mafia has any
19 enemies, that they're also my enemies"). He is alleged to have
20 placed additional "bounties on individuals that he and other OTF
21 members wanted to kill." (See SSI at Count One, ¶ B.1; see also Dkt.
22 105, Ex. 2 [Under Seal] at 12-13, 18-19 (describing bounties).)³ And
23

24 ³ Banks has embraced his penchant for bounties in his music,
25 rapping, for example, "I don't want no niggas who you catch, **I want**
26 **the one I paid for** ... Trollin' ass, **we shot your homie**." "Gucci Mane
27 - Rumors feat. Lil Durk [Official Video]", available at
28 <https://www.youtube.com/watch?v=QVn1DGgqBNo> (emphasis added); see
also "Scoom his Ass (ft. Boonie Moe) (Official Video)", available at
<https://www.youtube.com/watch?v=HXUDCW4wECY> ("Popping traffic, we in
Cali', ride through Beverly Hills with choppers ... dying to see the
oppas"; "Bounty hunter, he ready to crack that lil' bitch down to get
(footnote cont'd on next page)

1 in yet another federal murder-for-hire case in Chicago involving the
2 death of S.M., Banks was alleged to have "offer[ed] money for people
3 to kill those responsible for his brother's murder, and more
4 specifically, offering to pay money for any Gangster Disciple that is
5 killed." (Dkt. 105, Ex. 1 at 12.) Indeed, just two weeks following
6 the murder of S.M. --- the suspected leader of a faction of Gangster
7 Disciples (id. at 8) --- the alleged shooters discussed payment from
8 OTF and defendant Banks. (Id. at 25-26 (alleged shooter texting
9 another alleged shooter, "Wassup with otf . . . Wym they not paying .
10 . . Did durk gave u that money".))

11 Moreover, defendant Banks has threatened to unleash his OTF
12 associates to stalk and "hunt" his rivals. For example, in a seized
13 text message thread between defendant Banks and other OTF associates
14 (including defendant Wilson), Banks boasts about threatening a rival,
15 telling him: "**I got them** hunting you up ads better have 3ski mask
16 on." (Dkt. 105, Ex. 2 [Under Seal] at 12 (emphasis added).) And in
17 a similar thread, defendant Banks and his OTF associates discuss
18 defendant Banks' heated exchange with another rival, with defendant
19 Banks telling his associates: "I'm finna pipe it up," i.e., a common
20 street reference to the use of a firearm. (Id.) In response, an OTF
21 associate agreed to follow defendant Banks' lead, exclaiming: "Blood
22 it's green [emoji of car and traffic light] getting shit together now
23 no phones," referring to a "green light" to act on defendant Banks'
24 wishes for violence.

25 The above-described structure of the criminal side of OTF ---
26

27 her off"). Although "Scoom his Ass" does not appear to have been
28 officially released by defendant, the lyrics are authentic as the
government seized the audio file from a co-conspirator's cellular
phone pursuant to a federal search warrant. See Bates Media 638.

1 defendant Banks' funding and considerable wealth, the power and
2 control he exerts over his associates, his desire to seek revenge on
3 those who cross him and his associates' willingness to do what they
4 are told --- all show the need for an anonymous jury in this case.

5 **B. Significant Risk of Interference with Witnesses and the**
6 **Judicial Process**

7 Defendant Banks has repeatedly shown his disdain for the
8 judicial process and witnesses who may cooperate with the government.
9 It is therefore not surprising that witness interference has already
10 occurred and is likely to continue in this case. Such interference
11 weighs strongly in favor of jury anonymity. See, e.g., United States
12 v. Boyajian, No. CR09-933(A)-CAS, 2016 WL 225724, at *6 (C.D. Cal.
13 Jan. 19, 2016) (empaneling anonymous jury where defendant in a prior
14 case persuaded minor victim not to testify and threatened victim's
15 family member).

16 Banks has made clear his contempt for cooperating witnesses. On
17 a popular podcast that currently has over 1 million views, Banks
18 exclaimed "I hate all rats." He elaborated:

19 "If you ever told, if you ever tell, I hate you. Like,
20 with a passion ... That made me who I am today. That
21 took away half of my life. Motherfucker telling on my
22 pops ... So I really hate rats with a real passion.
Like, I hate you. Bad. I'm looking to the camera. I hate
fucking rats."⁴

23 Given Banks' vocal scorn for those who may cooperate with the
24 judicial process, it is predictable that suspected witnesses in this
25 case have already been subject to threats and intimidation. See,
26

27
28 ⁴ See DJ Akademiks, LIL Durk Realest Interview Ever. Last
Interview on Off The Record w/ Akademiks, available at
<https://www.youtube.com/watch?v=b92PfcokiYI> (49:50-50:27).

1 e.g., Shryock, 342 F.3d at 972 (explaining that "members of the
2 Mexican Mafia maintained a 'code of silence' obligating members
3 testifying in court to deny the existence of and membership in the
4 Mexican Mafia"); United States v. Krout, 66 F.3d 1420, 1427-28 (5th
5 Cir. 1995) (one of defendants' group's tenets was to murder or
6 attempt to murder members suspecting of informing authorities). To
7 start, one of Banks' trusted OTF associates has already threatened a
8 suspected government witness. Specifically, the OTF associate told
9 the witness's family member that the suspected witness was a
10 "snitch", a "snake", and was "not for the family" --- an undoubted
11 reference to Banks' Only the Family. (Dkt. 105, Ex. 2 [Under Seal]
12 at 18-19.) Such threats to witnesses, even when committed by a
13 defendant's associates, are precisely the type of conduct that
14 justify enhanced juror safety and procedures to ensure the jury can
15 fulfil its duties without improper outside influence. See, e.g.,
16 United States v. Bowman, 302 F.3d 1228, 1238-39 (11th Cir.
17 2002) (upholding use of anonymous jury when defendant was the leader
18 of a motorcycle gang with history of violence and witness
19 intimidation); United States v. Aulicino, 44 F.3d 1102, 1116 (2d Cir.
20 1995) (same where defendants had sought to bribe and threaten
21 witnesses and had attempted to influence a witness in a prior state
22 case).

23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 The witness intimidation in this case is not limited to
4 clandestine communications. [REDACTED]

5 [REDACTED]
6 [REDACTED]⁵ [REDACTED]
7 [REDACTED]
8 [REDACTED]⁶ [REDACTED]
9 [REDACTED]
10 [REDACTED]⁷

11 The public speculation about potential witnesses has already had
12 significant consequences, [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]⁸ Such
16 public mention of reprisal against suspected witnesses shows the
17 reasonable inference that a juror may "fear that their identities
18 could be disclosed online, exposing them to threats from individuals
19 who are not directly associated with Defendant." United States v.

20
21 ⁵ See Farmby Decl., ¶ 11.

22 ⁶ [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 ⁷ [REDACTED]
26 [REDACTED]
27 ⁸ [REDACTED]
28 [REDACTED]

1 Asainov, 618 F. Supp. 3d 105, 117 (E.D.N.Y. 2022) (cleaned up); see
2 also United States v. Edmond, 52 F.3d 1080, 1092 (D.C. Cir. 1995)
3 (cleaned up) ("As a practical matter, we cannot expect jurors to
4 'take their chances' on what might happen to them as a result of a
5 guilty verdict.").

6 Defendant Banks has also shown a repeated disrespect and
7 willingness to impede the judicial process. Despite admonishments
8 from two courts about phone violations at the Los Angeles MDC,
9 defendant Banks has escalated his defiance of BOP rules that keep
10 witnesses and others safe. In late August 2025, BOP officials seized
11 an Apple Watch with cellular capability from defendant. (See Farmby
12 Decl., ¶ 12, Ex. B [Under Seal].) Even more troubling is Banks'
13 conduct after he was caught. Rather than accept responsibility for
14 this violation, defendant allegedly obstructed the investigation
15 attempting to damage and/or destroy the communications device. See
16 id.; see also United States v. Ashburn, No. 13-CR-0303 NGG, 2014 WL
17 5800280, at *8 (E.D.N.Y. Nov. 7, 2014) (explaining that defendant's
18 "disrespect, if not outright contempt, for the processes by which the
19 charges against him will be resolved, surely strengthens the case for
20 empaneling an anonymous jury" where defendant refused to permit
21 officials to execute DNA warrant and engaged in inappropriate
22 courtroom behavior); Asainov, 618 F. Supp. 3d at 117 (defendant's
23 interference with judicial process, including destroying his cell
24 phone to prevent recovery of evidence, weighed in favor of anonymous
25 jury). Defendant Banks' flouting of the rules is all-the-more
26 concerning here, given the previous judicial admonishments and the
27 nature of his latest offense: possession and destruction of a device
28 that could be used to have unmonitored communication with witnesses

1 or those who may intimidate witnesses or take steps to alter their
2 testimony. Indeed, although the government continues to investigate
3 Banks' possession and use of the communications device, initial data
4 associated with the serial number of the watch shows that the device
5 was purchased on May 26, 2025, and was activated the next day. (See
6 Farmby Decl., ¶ 12.)

7 **C. Potential that the Defendants' Will Suffer a Lengthy**
8 **Incarceration if Convicted**

9 As all defendants face a mandatory life sentence should they be
10 convicted of 18 U.S.C. § 1958, "the potential that the defendants
11 will suffer a lengthy incarceration if convicted" clearly weighs in
12 favor of an anonymous jury. Shryock, 342 F.3d at 971; United States
13 v. DeLuca, 137 F.3d 24, 32 (1st Cir. 1998) (potential mandatory life
14 sentence "surely provided a strong inducement to resort to extreme
15 measures in any effort to influence the outcome of the trial")

16 **D. The Extensive and Continuous National Publicity In This**
17 **Case Further Requires Juror Anonymity**

18 Finally, the likelihood of extensive publicity and the risk that
19 jurors' names will become public is substantial here. Indeed, in
20 Shryock, the mere possibility of media attention was sufficient for
21 the Ninth Circuit to find that this factor was met. 342 F.3d at 972
22 (the trial "could expect to receive extensive publicity").

23 This case has attracted significant media attention since
24 defendants were arrested, and the coverage will unquestionably
25 increase as the trial date approaches. National news has extensively
26
27
28

1 covered each step of the case, including defendants' arrest⁹,
2 defendant Banks' detention hearings¹⁰, and even routine and mundane
3 filings like the latest stipulation to continue the trial¹¹. The case
4 has also received substantial attention on social media, including
5 in-depth analysis of the case by legal channels.¹² Defendant Banks
6 has also chosen to further publicize the case by having defense
7 counsel participate in interviews,¹³ and by using defendant Banks'
8 social media account (with over 15 million followers) to falsely
9 claim the government is using this murder case to "criminalize[]"

13 ⁹ See, e.g., LA Times, "Grammy winner Lil Durk charged in
14 murder-for-hire plot near Beverly Center Mall," available at
15 <https://www.latimes.com/california/story/2024-10-25/grammy-winner-lil-durk-florida-murder-for-hire-charges> (October 25, 2024); NY
16 Times, "Lil Durk Is Accused of Conspiring to Kill a Rival. What We Know About the Case," available at
17 <https://www.nytimes.com/2024/10/26/arts/music/lil-dirk-murder-for-hire-arrest.html> (October 26, 2024).

18 ¹⁰ See, e.g., Chicago Tribune, "Federal prosecutors link Lil Durk
19 to 2022 Chicago killing as rapper is denied bond in LA," available at
20 <https://www.chicagotribune.com/2024/12/12/lil-durk-denied-bond/>
21 (December 13, 2024); LA Times, "Judge denies Lil Durk bail in murder-
22 for-hire case, citing rapper's calls from jail," available at
23 <https://www.latimes.com/california/story/2025-05-08/judge-denies-lil-durk-bail> (May 8, 2025); Rolling Stone, "Lil Durk Denied Bail Again
24 in Murder-for-Hire Case," available at
25 <https://www.rollingstone.com/music/music-news/lil-durk-denied-bail-murder-for-hire-case-1235352544/> (June 9, 2025).

26 ¹¹ See, e.g., Billboard, "Lil Durk's Murder-for-Hire Trial Could
27 Be Delayed Until 2026," available at
28 <https://www.billboard.com/pro/lil-durk-murder-for-hire-trial-could-be-delayed-2026/> (Sept. 12, 2025).

29 ¹² See, e.g., Law & Crime Network, "5 Big Updates in Rapper Lil
30 Durk's Murder-for-Hire Case", available at
31 <https://www.youtube.com/watch?v=BS-MlLsOmKw> (approximately 380,000
32 views as of Oct. 6, 2025).

33 ¹³ See, e.g., DJ Vlad, "Lil Durk's Lawyer Drew Findling Breaks
34 Down His Murder-for-Hire Fed Case", available at
35 <https://www.youtube.com/watch?v=NZQN2pC7nCQ> (approximately 240,000
36 views).

1 defendant for his “creativity” and “art.”¹⁴ Such extensive coverage,
2 understandably underscored by defendant’s notoriety and the
3 premeditated murder at issue in this case, heavily weighs in favor of
4 additional judicial safeguards to protect the jury and preserve the
5 integrity of the trial. See, e.g., United States v. Baca, 761 F.
6 App’x 724, 727 (9th Cir. 2019) (“anonymous jury was reasonable in
7 light of the highly publicized nature of this case, Baca’s and his
8 co-conspirator’s positions as former high-ranking law enforcement
9 officers, and the nature of the charges at issue”).

10 The risk that defendants, affiliates, and/or supporters will
11 attempt to improperly influence or intimidate the jury are not
12 speculative. To date, defendants’ supporters have already attempted
13 to intimidate individuals connected to this case. For example, a
14 United States Magistrate Judge received multiple voicemails from an
15 individual stating, among other things, that defendant Banks and
16 Wilson were innocent and that “if they get life . . . I’m gonna burn
17 this motherfucker down . . . burn it to the ground . . . it’s not a
18 game bitch”. (See Farmby Decl., ¶ 13.) Another supporter issued a
19 similar threat to a prosecutor, stating “free Durk” or be shot. (See
20 id., ¶ 14.)¹⁵ The extensive and continuous publicity, coupled with
21 the threats and the other attempts to impact witness testimony
22 discussed above, demonstrate the need for juror anonymity to ensure
23

24 ¹⁴ See, e.g., Instagram, @lildurk,
25 <https://www.instagram.com/reel/DJCr4YEzTrA/?hl=en> (post on April 29,
26 2025).

27 ¹⁵ The government’s investigation into these threats uncovered no
28 direct link to defendants. However, the pattern of threats from
supporters only underscores the risk to jurors by those outside the
control of the Court.

1 juror safety and preserve their ability to discharge their
2 constitutional duties without fear of reprisal.

3 **E. Reasonable Precautions Can Safeguard Defendants' Right to a**
4 **Fair Trial, While Still Protecting the Judicial Process**

5 Because jury anonymity is warranted here, the government
6 requests that the Court implement well-established safeguards to
7 ensure that the fundamental rights of the defendants are not
8 violated. See Fernandez, 388 F.3d at 1244. Specifically, this Court
9 can minimize any risk of prejudice by downplaying juror anonymity,
10 and "not instruct[ing] the jury on the reasons for their anonymity
11 but simply inform[] them they would be referred to by number rather
12 than name." Mikhel, 889 F.3d at 1032 (cleaned up); see also id.

13 (court provided juror questionnaire that stated their information
14 would "be kept confidential" and that "[n]either your identities nor
15 your answers will be released to the general public or the media").¹⁶

16 Additionally, the government has agreed to collaborate with the
17 defense to craft a thorough jury questionnaire, which will ensure the
18 parties can meaningfully conduct effective voir dire. As explained
19 in Mikhel, a district court "sufficiently safeguard[s] defense

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21 ¹⁶ The Court can also provide "neutral justifications for the
22 jury's anonymity . . . focused on juror confidentiality." See, e.g.,
23 Fernandez, 388 F.3d at 1245 ("neutral justifications for the jury's
24 anonymity . . . focused on juror confidentiality" and which
25 "suggested that such procedures are routine" were proper safeguards
26 to employ in order to minimize any risk of infringement upon the
27 fundamental rights of defendants where an anonymous jury was
28 empaneled); Shryock, 342 F.3d at 972-73 (appropriate safeguard
employed where the jurors were instructed that anonymity was
commonplace and was used to protect their privacy from curiosity-
seekers, and where the jurors were also informed that "use of such
jury had nothing to do with the [defendants'] guilt or innocence");
Darden, 70 F.3d at 1530 (defendant's rights protected where jurors
were told that anonymity would enable the jurors to avoid harassment
from the media).

counsel's ability to conduct voir dire by providing defendants with a[] questionnaire for each potential juror detailing age, marital status, city of residence, employment history, and education, among other things. None of our cases require, or even suggest, that providing potential jurors' names and addresses to defense counsel is necessary in circumstances such as these." 889 F.3d at 1032. Accordingly, by way of a jury questionnaire and oral questioning (both en masse and individually), this Court can ensure that the defendants have sufficient information to enable them to make challenges for cause and to intelligently use their peremptory challenges. See, e.g., United States v. Childress, 58 F.3d 693, 704 (D.C. Cir. 1995) (noting the use of an "extensive questionnaire" in affirming the use of an anonymous jury).

IV. CONCLUSION

For the foregoing reasons, the government respectfully requests that this Court empanel an anonymous jury to protect the prospective jurors and prevent any interference with the judicial process. Specifically, the government requests that the names, addresses, and specific places of employment not be revealed to either party.